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Date: February 28, 2002

Docket No.: 1060-0144P

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a Request for filing a ☐ continuation ☒ divisional  
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/446,064 filed on February 17,  
2000, the entire contents of which are hereby incorporated by  
reference,  
by

Balázs SÜMEGI

for

PHARMACEUTICAL COMPOSITION HAVING ENHANCED ANTITUMOR ACTIVITY  
AND/OR REDUCED SIDE EFFECTS

1. ☒ Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if  
applicable).
2. ☒ The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$740.00		\$370.00	
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE	
TOTAL CLAIMS	10-20 =	0	x 18 = \$0.00	x 9 = \$0.00	
INDEPENDENT CLAIMS	2-3 =	0	x 84 = \$0.00	x 42 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00	
TOTAL			\$740.00	\$0.00	

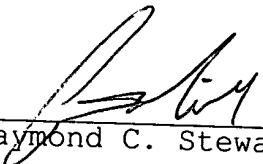
3. ☒ A check in the amount of \$740.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Amend the specification by inserting before the first line thereof the following:
- a. ☐ --This application is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending Application No. 09/446,064, filed on February 17, 2000, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application No. filed in on under 35 U.S.C. § 119.--
- b. ☒ --This application is a ☐ continuation ☒ divisional ☐ continuation-in-part of co-pending Application No. 09/446,064, filed on February 17, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/446,064 is the national phase of PCT International Application No. PCT/IB98/00961 filed on June 22, 1998 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference. This application also claims priority of Application No. P97 01081 filed in Hungary on June 23, 1997 under 35 U.S.C. § 119.--

6. ☒ Enclosed is/are three (3) sheet(s) of formal drawings and/or photographs.
- 7a. ☐ A statement claiming small entity status was filed in prior Application No. 09/446,064 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 7b. ☐ The current application qualifies for small entity status.
8. ☒ The prior application is assigned to N-Gene Research Laboratories, Inc.
9. ☐ A Preliminary Amendment is enclosed.
- 10a. ☐ Priority of Application No(s). \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on \_\_\_\_\_.
- 10b. ☒ Priority of International Appln. PCT/IB98/00961 filed on June 22, 1998 under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. P97 01081 filed in Hungary on June 23, 1997 under 35 U.S.C. § 119 are hereby reclaimed.
11. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
12. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
Telephone: (703) 205-8000  
  
**or**  
Customer No. 2292
13. ☐ An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/446,064 in order to establish co-pendency with the present application.
14. ☐ Also enclosed herewith is the following:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #32868  
for Raymond C. Stewart, #21,066

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*WLR*  
RCS/KLR/jms  
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Attachments

(Rev. 11/15/01)

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